IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 3709 OF 2004
IN
CRIMINAL APPLICATION NO.633 OF 2004
IN
CRIMINAL APPEAL NO. 544 OF 2001

Gulab Jethanand Khemnani ...Applicant.
(Orig.accd. No.5)

V/s

The State of Maharashtra ...Respondent.

Mr. Naveen Chomal for the applicant.

Mr. S.R. Saste, APP for the respondent - State.

CORAM: V.M.KANADE,J.

DATE: 15TH SEPTEMBER, 2004

PC:.

1. Heard the learned Counsel appearing on behalf of the applicant and the learned APP for the respondent - State.

2. By an order dated 19/03/2004, the applicant was directed to be released on temporary bail for a period of one month. However, he could not arrange for the mother's treatment on account of financial stringency. He also could not arrange for the surety in time. He is now seeking an order of clarification from this Court that the Order dated 19/03/2004 may be implemented.

3. Under the facts and circumstances of the case, Criminal Application is allowed in terms of prayer clause (a) which reads as under:-

> "(A) The present Application may kindly be allowed and the Honourable Special Judge, Mumbai, may kindly be directed to accept the surety furnished by the Applicant & release him on temporary bail pursuant to the order passed by this Honourable Court on 19/3/2004."

4. Respondent - State, however, to file a compliance report after the applicant surrenders to the Police after the period of temporary bail is over.

V.M. KANADE, J.